

Sunset Public Hearing Questions for  
**STATE SOIL CONSERVATION COMMITTEE**  
Created by Section 43-14-203, *Tennessee Code Annotated*  
(Sunset termination June 2011)

- 1. Provide a brief introduction to the State Soil Conservation Committee (SSCC), including information about its purpose, statutory duties, staff, and administrative attachment.**

The purpose of the SSCC is to provide oversight and assistance to Soil Conservation Districts (SCDs) in carrying out programs directed towards soil conservation and water quality improvement.

Its statutory duties include appointing two supervisors to the governing board of each soil conservation district and establishing procedures for the local election of three other supervisors to each district's governing board, offering assistance to the supervisors of SCDs in carrying out their programs and powers, coordinating the programs of the SCDs and encouraging cooperation among them.

An Environmental Assistance Program Manager in the Water Resources Section of the Tennessee Department of Agriculture serves as Executive Secretary for the SSCC and furnishes staff support for SSCC functions and activities. Secretarial support for routine office duties is also provided by TDA.

- 2. Provide a list of current committee members, or their designees, and describe how membership complies with Section 43-14-203, *Tennessee Code Annotated*. Are there any vacancies on the committee and, if so, what is being done to fill those vacancies?**

**Glen E. Long**

210 Lakemont Drive

Rockwood, TN 37854

Serves as a Soil Conservation District Supervisor from East Tennessee.

**Cindy Anderson**

P. O. Box 189

Summitville, TN 37382

Serves as at-large Soil Conservation District Supervisor.

**Pal Neal**

7090 Trousdale Ferry Pike

Lebanon, TN 37090

Serves as a farmer from Middle Tennessee.

**Eddie Sanders**

1495 Coleman Road

Franklin, TN 37064

Serves as a Soil Conservation District Supervisor from Middle Tennessee.

**Bill Justis**

P. O. Box 37

Bulls Gap, TN 37711

Serves as a farmer from East Tennessee.

**Kenneth R. Sneed**

1884 Wilkinsville Road

Atoka, TN 38004

Serves as a farmer from West Tennessee.

**Tommy Surber**

825 Hico Road

McKenzie, TN 38201

Serves as a Soil Conservation District Supervisor from West Tennessee.

**Ken Givens, Commissioner**

Department of Agriculture

P. O. Box 40627

Nashville, TN 37204

Serves by virtue of position as Commissioner of Agriculture.

**Jim Fyke, Commissioner**

Dept. of Environment and Conservation

401 Church Street

L&C Tower, 21st Floor,

Nashville, TN 37243

Serves by virtue of position as Commissioner of the Tennessee Department of Environment and Conservation.

**Dr. Joseph DiPietro, Vice President**

Institute of Agriculture, University of Tennessee

102 Morgan Hall, 2621 Morgan Circle

Knoxville, TN 37996-4505

Serves by virtue of position as Vice-President of UT Institute of Agriculture.

There are no vacancies on the SSCC currently.

- 3. Does membership include a public/citizen member? A member who is 60 years of age or older? A member of a racial minority? A member who is female?**

Yes to all categories.

- 4. What per diem or travel reimbursement do members receive? How much was paid to committee members during fiscal years 2009 and 2010? Were any other expenses charged to the committee?**

Committee members do not receive compensation for their services but are entitled to reimbursed for travel expenses in accordance with the state's Comprehensive Travel Regulations. The only additional charges incurred by the SSCC in FY 2009 and FY 2010 were nominal fees for two of the annual meetings.

- 5. What were the committee's revenues (by source) and expenditures (by object) for fiscal years 2009 and 2010?**

The SSCC generates no revenue and expenditures are reflected below.

Expense Object	FY 2009	FY 2010
Travel	\$6,271.98	\$7,443.81
Total Expenditures	<u>\$6,271.98</u>	<u>\$7,443.81</u>

- 6. Section 43-14-205, *Tennessee Code Annotated*, requires the committee to meet at least four times a year. How many times did the committee meet during fiscal years 2009 and 2010 and how many members were present at each meeting?**

Date of Meeting	Number Members Attending
7/23/2008	7
12/8/2008	7
3/1/2009	6
3/24/2009	4
7/16/2009	7
12/7/2009	5
2/28/2010	7
3/31/2010	5

Three of the SSCC annual meetings are held in conjunction with statewide agricultural events; the Farm Bureau Convention, the convention of the Tennessee Association of Conservation Districts and the biennial UT Milan No-Till Field Day with alternate years at Agricenter International in Memphis. The fourth (spring) meeting is held at the Ellington Agricultural Center.

- 7. Does the committee transmit an annual report and budget request to the Commissioner of Agriculture each year as authorized by Section 43-14-206(9), *Tennessee Code Annotated*? If so, please attach copies of the last two annual reports. What other reports does the committee prepare on its operations, activities, and accomplishments, and who receives these reports?**

In lieu of a formal annual report, the Commissioner is advised of current activities by personally attending SSCC meetings, and by receiving copies of the minutes of each meeting. The Executive Secretary routinely gives reports on behalf of the SSCC to groups such as the Tennessee Association of Conservation Districts, the Tennessee Conservation District Employees Association and local Soil Conservation District events such as field days and awards programs. No formal budget requests are submitted to the Commissioner of Agriculture.

- 8. Does the committee have a web site? If so, please provide its web address. What kind of public information is provided on the site?**

Yes the committee has a web site located at: [www.state.tn.us/agriculture/water/sscc.html](http://www.state.tn.us/agriculture/water/sscc.html).

The web site references the Tennessee Code Annotated establishing the SSCC, gives its statutory duties, the current Committee members and resources for conducting elections and appointments to SCD Boards.

- 9. Is the committee subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedure does the committee have for informing the public of its meetings and making its minutes available to the public?**

The meetings of the SSCC are subject to the Sunshine law requirements. Advance notices of meetings are prepared and forwarded to the Public Affairs office of the Department, which in turn sends the announcement to news media in the state. Minutes are available to the public from the office of the Executive Secretary of the SSCC.

- 10. Has the committee promulgated rules as authorized by Section 43-14-203, *Tennessee Code Annotated*? If so, please cite the reference.**

No rules have been promulgated by the SSCC.

**11. What were the committee's major accomplishments during fiscal years 2009 and 2010? Specifically, describe the nature and extent of committee activities as they pertain to the nine enumerated powers and duties defined in Section 43-14-206, *Tennessee Code Annotated*.**

The SSCC has fulfilled their responsibilities under the statute during FY09 and FY10 with respect to certifying the elections and making appointments of SCD boards. They are instrumental in maintaining the cooperation of the USDA-Natural Resources Conservation Service (NRCS) as a critical partner in the installation of conservation practices in each District. The SSCC does offer support to the Tennessee Department of Agriculture in the implementation of the Agricultural Resources Conservation Fund Cost Share Program and the federal 319 Nonpoint Source Program as well as encouraging, to the extent practical, participation from landowners in these programs. By virtue of its meetings held in conjunction with agricultural events, the Committee is in position to hear directly from farmers about conservation concerns in their areas. These meetings as open meetings also serve as venues for input from the public.

**12. Does the committee set goals and measure its performance compared to the goals? What performance indicators or goals does management use to measure the effectiveness and efficiency of the committee? How well has the committee performed, based on those performance indicators?**

The SSCC has not discussed the setting of formal performance goals for its activities.

**13. How many soil conservation districts currently exist in Tennessee? What percentage of land in the state is included in soil conservation districts? What assistance, if any, does the committee provide to the districts?**

Currently there are 95 SCDs in Tennessee, with 100% of the state's land area included in them. The assistance portion of the question has been previously answered in the response to Question 11 above.

**14. Describe any items related to the committee that require legislative attention and your proposed legislative changes.**

There are no legislative changes proposed at this time.

**15. Should this committee be continued? Why or why not?**

The SSCC should be continued for a number of reasons. Its role remains important due to the increased emphasis from all segments of society toward preserving the natural resources of our state. The committee and the SCDs have maintained a relationship with the USDA-NRCS for many years, which has facilitated Best Management Practices to be installed in a very economical and effective manner. Since the SSCC is composed of farmers and SCD board members from across Tennessee, they contribute a unique perspective to TDA grant programs. Conversely, through their meetings, it can be ascertained as to how well new initiatives will be received by rural landowners. The contribution of the SSCC to water quality improvement and soil erosion control measures on Tennessee farms far exceeds the very minimal expense to the state. Abolishing the Committee would be counter-productive to maintaining these achievements.

**16. Please list all committee programs or activities that receive direct or indirect federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.**

[Federal financial assistance includes:

- (1) Grants and loans of Federal funds,
- (2) The grant or donation of Federal Property and interests in property,
- (3) The detail of Federal personnel,
- (4) The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and
- (5) Any federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

*28 C.F.R. Sec. 42.102(c)*

[The term recipient means any State, political subdivision of any State, or instrumentality of any State or political subdivision, any public or private agency, institution, or organization, or other entity, or any individual, in any State, to whom Federal financial assistance is extended, directly or through another recipient, for any program, including any successor, assign, or transferee thereof, but such term does not include any ultimate beneficiary under any such program.

*28 C.F.R. Sec. 42.102(f)*

The SSCC receives no federal financial assistance, nor does it administer any.

*If the committee does receive federal assistance, please answer the following questions.*

**17. Does your committee prepare a Title VI plan? If yes, please provide a copy of the most recent plan.**

This question is not applicable.

**18. Does your committee have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.**

This question is not applicable.

**19. To which state or federal agency (if any) does your committee report concerning Title VI? Please describe the information your committee submits to the state or federal government and/or provide a copy of the most recent report submitted.**

This question is not applicable.

**20. Describe your committee's actions to ensure that committee staff and clients/program participants understand the requirements of Title VI.**

This question is not applicable.

**21. Describe your committee's actions to ensure it is meeting Title VI requirements. Specifically, describe any committee monitoring or tracking activities related to Title VI, and how frequently these activities occur.**

This question is not applicable.

**22. Please describe the committee's procedures for handling Title VI complaints. Has your committee received any Title VI-related complaints during the past year? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).**

This question is not applicable.

**23. Please provide a breakdown of current committee staff by title, ethnicity, and gender.**

This question is not applicable.

**24. Please list all committee contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.**

This question is not applicable.